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9 **UNITED STATES DISTRICT COURT FOR THE**
EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

Case No.: 2:23-CR-00074-DJC

11 Plaintiff,
12 v.

13 STIPULATION REGARDING
14 EXCLUDABLE TIME PERIODS
UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

15 ARNES KRAJINIC,

16 Defendant.

17 DATE: February 15, 2024
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

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19 **STIPULATION**

20 Plaintiff United States of America, by and through its counsel of record, and
21 defendant, by and through defendant's counsel of record, hereby stipulate as follows:

22 1. By previous order, this matter was set for status conference on January 4, 2024.
23 2. By this stipulation, the parties move to continue the status conference until
24 February 15, 2024, at 9:00 a.m., and to exclude time through February 15, 2024, under
25 Local Code T4.
26 3. The parties agree and stipulate, and request that the Court find the following:
27 a) The government has represented that the discovery associated with this case
28 includes search warrants, photographs, audio recordings, and video recordings. This

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1 discovery has been either produced directly to counsel and/or made available for
2 inspection and copying.

3 b) Counsel for defendant desires additional time to consult with his client
4 regarding discovery and otherwise prepare for trial.

5 c) Counsel for defendant believes that failure to grant the above-requested
6 continuance would deny him the reasonable time necessary for effective preparation,
7 taking into account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within
11 the original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §
13 3161, et seq., within which trial must commence, the time period of January 4, 2024 to
14 February 15, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 161(h)(7)(A),
15 B(iv) [Local Code T4] because it results from a continuance granted by the Court at
16 defendant's request on the basis of the Court's finding that the ends of justice served by
17 taking such action outweigh the best interest of the public and the defendant in a speedy
18 trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other
20 provisions of the Speedy Trial Act dictate that additional time periods are excludable
21 from the period within which a trial must commence.

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1 **IT IS SO STIPULATED.**

2 Dated: December 29, 2023

3 /s/ David D. Fischer
4 DAVID D. FISCHER
5 Attorney for Defendant
6 ARNES KRAJINIC

7 PHILLIP A. TALBERT
8 US ATTORNEY

9 Dated: December 29, 2023

10 /s/ Alexis Klein
11 ALEXIS KLEIN
12 Assistant United States Attorney

13 **ORDER**

14 IT IS SO FOUND AND ORDERED this 2nd day of January, 2024.

15 /s/ Daniel J. Calabretta
16 THE HONORABLE DANIEL J. CALABRETTA
17 UNITED STATES DISTRICT JUDGE